IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

CYNTHIA L. ROBINSON,)
Plaintiff,)
v.) Civil Action No.: CV-04-0229-R
EQUIFAX INFORMATION SERVICES, LLC, et al.,)))
Defendants.))
	ORDER

After the court recently filed a Memorandum Opinion concerning Speedway SuperAmerica LLC's Motion for Summary Judgment, the court has noted the case of *Fortis Benefits Ins. Co. v. Pinkley*, 2005 WL 1793346 (Ala. January 29, 2005). Obviously, the issues are not the same, but *Pinkley* carries with it a suggestion as to why Speedway SuperAmerica LLC should not be considered to have acted unreasonably in this case.

Stated more narrowly, the question is whether a life insurer that receives a change-of-beneficiary request form, regular on its face and executed by a person purporting to be the owner of the policy, has a duty to investigate the authenticity of the signature before paying death benefits under the policy to the person designated on the form as the primary beneficiary. We answer that question in the negative.

2005 WL 1793346 at *2.

¹ In *Pinkley*, the Alabama Supreme Court stated:

This 2nd of August, 2005.

ROBERT B. PROPST

SENIOR UNITED STATES DISTRICT JUDGE